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Appl. No. : 10/775,593 Confirmation No. 1763
Applicant : Stephanie Western
Filed : 02/09/2004
Title : Container and Warmer for Wipes and The Like
Grp./A.U. : 3742
Examiner : Joseph Moore Pelham
Docket No. : 6973P001

September 19, 2005

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

VIA FACSIMILE (571) 273-8300

INTERVIEW SUMMARY

Applicant called examiner Pelham on 09/16/05 to discuss the September 8th office action. In particular Applicant and examiner Pelham discussed the examiner's statement:

Applicant's reference to the '750 (p. 22 of the Response) addresses the reference by and large individually: the rejection is based on the combination of '766 and '750, the latter of which is relied on for control means and not its power source. The scope of claims 2, 5, 7-12 and 15-21 includes a battery powered embodiment, which is obvious over the prior art. Temperature based control of chemical, gaseous or liquid fuel wipe heating means appear to be allowable, as indicated above.

Applicant pointed out the claim language pertaining to chemical forms of energy, for example such as element b) of claims 2 and 12, would encompass gaseous or liquid, as well as solid forms or combinations such as vaporizing liquid and paste fuels. The examiner agreed. Applicant also pointed out that the claim language relating to the use of stored electrical energy for the heat energy source, as for example in element b) of claims 2 and 12 was separate from the use of

Appl. No. 10/775,593
September 19, 2005 after final
Interview Summary.

electrical circuitry for the generation, control or monitoring of heating as in elements d) of claims 2 and 12. In particular Applicant pointed out that if the words "electrical or" were removed from element b) of claims 2 and 12 the claims would still cover the use of electrical circuits and mechanisms for generation, monitoring and control of heat in response to stored energy in various chemical forms. In particular the electrical elements d), e) and f) of claim 5 and d), e), f) and g) of claim 11 were pointed to. The examiner agreed.

Applicant pointed out that the cost of continued prosecution was a serious drain on the inventor's resources and accordingly while Applicant did not agree with the examiner's rejections based on the combination of '766 and '750, Applicant would be willing to remove the words "electrical or" from claims 2 and 12 in order to limit the cost of continued prosecution and obtain allowance of these claims and associated dependent claims, given that the allowed claims would still cover the use of gaseous or liquid fuel energy sources for heating and/or the use of electrical circuits and mechanisms as pointed out above. The examiner agreed the claims would be allowable with the discussed scope and offered to make a corresponding examiner's amendment, pointing out that applicant would have the opportunity to review the amendment in the resulting notice of allowance. Applicant agreed.

In that the application is believed in form for allowance with the above discussed examiner's amendment, further action in that respect and issue of notice of allowance is respectfully solicited.

Respectfully Submitted,




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Appl. No. 10/775,593
September 19, 2005 after final
Interview Summary.

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I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax No. (571) 273-8300 on September 19, 2005.

A handwritten signature in black ink, appearing to read "J. Carl Cooper", with a long horizontal flourish extending to the right.

J. Carl Cooper